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BY TELEFAX TO:
(571) 273-8300
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF THE APPLICATION FOR PATENT

INVENTOR: Hubert HERRMANN | DOCKET NO.: 4948/PCT

APPLICATION NO.: 10/582,917 | CONFIRM. NO.: 8675

FILING DATE: June 13, 2006 | ART UNIT: 2834

TITLE OF INVENTION: | EXAMINER: N. PONOMARENKO
Gas Turbine, Particularly an
Aircraft Engine

MS PETITION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

September 10, 2008

PETITION TO WITHDRAW ABANDONMENT UNDER 37 CFR 1.181

Dear Sir:

- 1) Applicant hereby petitions to withdraw the holding of abandonment set forth in the Notice of Abandonment mailed on July 10, 2008. The abandonment was based on an allegation that "no reply has been received" in response to the Office Action of December 26, 2007. That alleged basis for abandonment is incorrect.
- 2) A Response to the Office Action of December 26, 2007 was timely filed by mail on June 26, 2008, with a Certificate of Mailing and a Term Extension Request for a term extension of 3 months.

4948/WFP:he

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- 3) A return receipt postcard filed together with the Response was stamped by the USPTO indicating a receipt date of June 30, 2008, and was returned to the undersigned. A copy thereof is enclosed.
- 4) The USPTO Image File Wrapper (IFW) accessible through the PAIR computer system shows that the complete Response was entered into the IFW with a mail room date of June 30, 2008. The USPTO mail room date of Monday June 30, 2008 is consistent with the filing date by mail of June 26, 2008, in view of the intervening weekend. A review of the IFW by the USPTO will show that the Response was received and entered, and will also show the Certificate of Mailing provided on each document.
- 5) The above facts were discussed with the Examiner in a Telephone Interview on July 16, 2008. The Examiner said that he would issue a paper withdrawing the abandonment. Such a paper has not been received.
- 6) The above facts were discussed with the Examiner's SPE in Telephone Interviews on September 9 and 10, 2008. The Examiner's SPE confirmed that the abandonment will be withdrawn, that he has drafted a Notice withdrawing the abandonment and forwarded it to the Group Director for signature, and that he will issue an Interview Summary explaining the above. The SPE's prompt action in correcting the erroneous abandonment is appreciated.
- 7) This Petition is being filed today as a precaution, because no USPTO paper withdrawing the abandonment has yet been received,

and in view of the two month deadline under 37 CFR 1.181 for timely filing a Petition for withdrawal of abandonment. In view of the above, please withdraw the abandonment. No fee is due for this Petition to withdraw the erroneous abandonment.

Respectfully submitted,

WFF:he/4948
Enclosures:
copy of postcard

By Walter F. Fasse
Walter F. Fasse
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CERTIFICATE OF FAX TRANSMISSION:

I hereby certify that this correspondence with all indicated enclosures is being transmitted by telefax to (571) 273-8300 on the date indicated below, and is addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Walter F. Fasse 9/10/08
Name: Walter F. Fasse - Date: September 10, 2008

Our Case: 4948
Inv.: Hubert HERRMANN
Appl. No.: 10/582,917
Filing Date: June 13, 2006
Title: Gas Turbine, Particularly
an Aircraft Engine

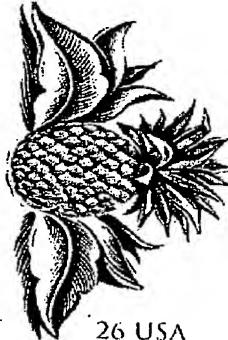
The USPTO acknowledges receipt of:
Transm. Cover Sheet
Response w. Certif. of Mailing
Term Extension Request
Form PTO-2038
Drawing Transmittal w.
2 New Sheets of Drawings
Substitute Spec. (marked-up)
Substitute Spec. (clean Version)
all received on:



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JUL 07 2008

FASSE PATENT ATTORNEYS



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